

Amendment No. 1 to SB2501

Gresham
Signature of Sponsor

AMEND Senate Bill No. 2501*

House Bill No. 2497

by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-6-4002, is amended by deleting the language therein and by substituting instead the following new language:

(a) On or before January 1, 2015, the governing body of each LEA and public school shall be responsible for formulating a behavior code and a graduated, incremental disciplinary procedure to apply to the students in each school operated by the LEA. The incremental disciplinary procedure shall not apply to the specific offenses pursuant to § 49-6-3401(g). Each disciplinary procedure shall contain a series of incremental steps of discipline that shall be imposed for violations of the code. The code shall also contain provisions specifying that a student may be advanced to a higher disciplinary category in the code for a single incident that constitutes violations of two or more provisions of the disciplinary code. The disciplinary code, including possible sanctions for violations thereof, shall be posted on the website of each school possessing such a site and shall published in the student handbook for each public school. The disciplinary code shall be adopted as a policy of the board, shall be included in the policy manual of board, and shall be published in all electronic and print media used by the board for publication of the policy manual. The policy shall be reviewed annually by the board.

(b) The director of schools, the principals, assistant principals, principal teachers, or other administrative personnel of the LEA as designated by the director of

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schools shall be responsible for implementation and supervision of the code of behavior and discipline.

(c) In formulating the behavior and discipline codes, the governing body of each LEA shall seek recommendations from parents, employees and law enforcement personnel.

SECTION 2. Tennessee Code Annotated, Section 49-6-4003, is amended by deleting the language therein and by substituting instead the following new language:

(a) Each code shall contain the type of behavior expected from each student, the consequences of failure to obey the standards, and the importance of the standards to the maintenance of a safe learning environment where orderly learning is possible and encouraged. Each code shall address the topics of language used by students, respect for all school employees and other persons on campus, fighting, threats, bullying, weapons on school property or at school functions, damage to the property or person of others, misuse or destruction of school property, drug or controlled substance use and abuse, the sale or distribution of drugs, controlled substances, or alcohol on school property or at school sponsored or controlled events, student conduct on school property, conduct in classes and on school buses and other subjects that the board chooses to include.

(b) Each code shall contain examples of circumstances in which a student may be removed from a classroom, suspended or expelled from school or sent to an alternative school.

(c) Each code shall state the consideration to be given to the student, prior to the suspension, expulsion or transfer to an alternative school based upon:

(1) Self-defense, pursuant to § 49-6-3401;

(2) The intent or lack thereof at the time the student engaged in the conduct; and

(3) The disciplinary history of the student.

(d) Each code shall state that a teacher, principal, school employee or school bus driver may use reasonable force in compliance with § 49-6-4107.

SECTION 3. Tennessee Code Annotated, Section 49-6-4007, is amended by deleting the section in its entirety.

SECTION 4. This act shall take effect July 1, 2014, the public welfare requiring it.